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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-fourth session
Item 5 of the provisional agenda

PREVENTION OF DISCRIMINATION

Written statement* submitted by All For Reparation and Emancipation (AFRE), a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 August 2002]

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*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.02-14576

The following statement is offered by Mr. Silis Muhammad on behalf of the Afro Descendant Minority in the United States of America.

We know that it is through the resolutions of the Sub-Commission and the diligent efforts of the Working Group on Minorities that we Afro Descendants approach collective human rights. We wish to continue to trust the Sub-Commission and the expertise of the Working Group on Minorities.

In 1997 the Sub-Commission on the Promotion and Protection of Human Rights passed resolution, #E/CN.4/SUB.2/RES/1997/5, in which the Sub-Commission called upon the Working Group on Minorities to consider how the Sub-Commission in its future work might usefully address the continuing legal, political and economic legacies of the African slave trade, as experienced by Black communities throughout the Americas. Following that resolution, in 1998, the Working Group on Minorities invited us to attend their 4th Session. We did attend that Session, and we have continued to attend and offer statements to all sessions of the Sub-Commission, the Commission on Human Rights and the Working Group on Minorities since that time.

At the 4th Session of the Working Group on Minorities we examined the Declaration on the Rights of Minorities, and it appeared to us that the so-called African Americans did not fit in the United Nations system. We had been told we are "minorities" by the United States Government, but we saw that we did not enjoy such recognition internationally. We saw that the protections offered minorities under Article 27 of the International Covenant on Civil and Political Rights and under the UN Declaration on the Rights of Minorities did not apply to us, for we do not have our original identity, our mother tongue, culture or religion. At that first meeting one of the esteemed members of the Working Group on Minorities said, "We will have to find out where you fit." Today I thank him. Over the years this Working Group has demonstrated that it is not willing to leave us out.

One of the decisions of the 4th Session of the Working Group on Minorities was to assign a member of the Working Group to write a paper on the existence and recognition of minorities. The paper was presented in the year 2000 as document #E/CN.4/Sub.2/AC.5/2000/WP.2. This expert paper has been of tremendous benefit to us, for it started the process of our recognition as minorities undergoing ethno genesis. During the 52nd Session of the Sub-Commission we expected to hear a presentation of the paper, and we were disappointed when it was not presented. We continue to ask the experts of the Sub-Commission to discuss our issues on the Sub-Commission floor and consider this Working Paper of the Working Group on Minorities, which we believe offers the most advanced understanding of our situation.

In 1998 the Sub-Commission passed resolution, #E/CN.4/SUB.2/RES/1998/24, in which the Sub-Commission urged the Working Group on Minorities to include on its agenda an item on issues related to the legacies of the slave trade on the Black communities throughout the Americas. In response to this Sub-Commission resolution, the 5th Session of the Working Group on Minorities placed African descendants in the Americas on its agenda. This was the first time, to my knowledge, that we were placed on the agenda of any UN meeting.

From that time forward the Working Group on Minorities has continued to address our issues in a most forthright manner. In the year 2000 the Working Group announced that it would hold regional seminars to study the issues of African descendants in the Americas. In 2001 the Working Group participated in a special Saturday session held in Geneva, and in a Conference held in Montreal, Canada in order to listen specifically to our issues. The Working Group also listened to our issues at the World Conference Against Racism in Durban.

Then, in 2002 the Working Group on Minorities held a long awaited and historic meeting in La Ceiba, Honduras. At that meeting we recognized and affirmed that "minority" is an evolving term that can be used creatively. Rather than looking at majority or minority with respect to numbers only, we looked at the terms with respect to who has the majority of the power and wealth, and who has the minority of the power and wealth, and South Africa is a great example of this axiom. When minority is seen in that light then we, all of us who are descendants of enslaved Africans, are in the minority.

In Honduras we descendants, as a newly emerging family of some 240 million souls, were able to determine the name by which we would like to be known in the UN. We are now in agreement that we recognize ourselves and we wish to be recognized by the UN as Afro Descendants. A definition of the term Afro Descendants is forthcoming from us. At the Honduras meeting we also made the decision, by consensus, to approach the UN under the category of Minorities.

The Working Group on Minorities has acknowledged our decision to be recognized as Afro Descendant Minorities. We ask the Sub-Commission to acknowledge our decision also. We urge the Sub-Commission to strongly support the efforts of the Working Group on Minorities on our behalf, as we see this Working Group as having gained invaluable expertise on our issues. Through the efforts of the Working Group we have begun to establish a foundation upon which we can proceed in our efforts, as recognition, restoration and reconciliation are our primary concerns.

In conclusion, we recognize that as Minorities we do not have full equality before the law due to the intentional destruction of our original identity, and yet we believe appropriate reparation and restoration can take place with the continued effort of the Sub-Commission and the Working Group on Minorities.